

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: GENERIC PHARMACEUTICALS PRICING
ANTITRUST LITIGATION

MDL No. 2724

16-MD-2724

HON. CYNTHIA M. RUFÉ

THIS DOCUMENT RELATES TO:

CERTAIN END-PAYER PLAINTIFFS ACTIONS

In Re: Amitriptyline Cases

In Re: Benazepril HCTZ Cases

In Re: Desonide Cases

In Re: Fluocinonide Cases

In Re: Levothyroxine Cases

In Re: Lidocaine-Prilocaine Cases

In Re: Pravastatin Cases

1199SEIU National Benefit Fund v. Actavis Holdco U.S., Inc.

1199SEIU National Benefit Fund v. Actavis Holdco U.S., Inc.

16-AM-27242

16-BZ-27242

16-DS-27242

16-FL-27242

16-LV-27242

16-LD-27242

16-PV-27242

18-cv-02401

19-cv-06011

INDIRECT RESELLER PLAINTIFFS ACTIONS

In Re: Amitriptyline Cases (Indirect Reseller)

In Re: Benazepril-HCTZ Cases (Indirect Reseller)

In Re: Clobetasol Cases (Indirect Reseller)

In Re: Clomipramine Cases (Indirect Reseller)

In Re: Desonide Cases (Indirect Reseller)

In Re: Levothyroxine Cases (Indirect Reseller)

In Re: Lidocaine-Prilocaine Cases (Indirect Reseller)

In Re: Pravastatin Cases (Indirect Reseller)

West Val Pharmacy v. Actavis Holdco U.S., Inc..

Reliable Pharmacy v. Actavis Holdco U.S., Inc.

Reliable Pharmacy v. Actavis Holdco U.S., Inc.

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18-cv-02533

19-cv-06044

20-cv-06291

CERTAIN DIRECT ACTION PLAINTIFFS ACTIONS

The Kroger Co. v. Actavis Holdco U.S. Inc.

Humana Inc. v. Actavis Elizabeth, LLC

United Healthcare Services, Inc. v. Actavis Holdco U.S., Inc.

Humana Inc. v. Actavis Elizabeth LLC

United Healthcare Services, Inc. v. Teva Pharmaceuticals USA, Inc.

Health Care Service Corp. v. Actavis Elizabeth, LLC

MSP Recovery Claims, Series LLC v. Actavis Elizabeth, LLC

Molina Healthcare, Inc. v. Actavis Elizabeth, LLC

Cigna Corp. v. Actavis Holdco US, Inc.

Rite Aid Corporation v. Actavis Holdco U.S., Inc.

JM Smith Corporation v. Actavis Holdco U.S. Inc.

Walgreen Company v. Actavis Holdco U.S., Inc.

Winn-Dixie Stores, Inc. v. Actavis Holdco U.S.

Humana Inc. v. Actavis Elizabeth, LLC

18-cv-00284

18-cv-03299

19-cv-00629

19-cv-04862

19-cv-05042

19-cv-05819

20-cv-00231

20-cv-00695

20-cv-02711

20-cv-03367

20-cv-04370

20-cv-06258

20-cv-06290

20-cv-06303

CVS Pharmacy, Inc. v. Actavis Elizabeth, LLC
United HealthCare Services, Inc. v. Sandoz, Inc.

20-cv-06310
20-cv-06557

CERTAIN DIRECT ACTION PLAINTIFFS (SELF-INSURED)

County of Nassau v. Actavis Holdco U.S., Inc.
County of Suffolk v. Actavis Holdco US, Inc.
County of Albany v. Actavis Holdco U.S., Inc.
County of Westchester. v. Actavis Holdco U.S., Inc.

20-cv-00065
20-cv-04893
21-cv-01875
21-cv-04474

and

Providence St. Joseph Health v. Actavis Holdco U.S., Inc.

23-cv-03636

ORDER

AND NOW, on this 25th day of April 2024, upon consideration of the attached Joint Stipulation Governing Briefing in Response to Certain Private Plaintiffs' Motions for Leave to Amend and Supplement Their Complaints, it is hereby **ORDERED** that the Joint Stipulation is **APPROVED**.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.

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<i>United HealthCare Services, Inc. v. Sandoz, Inc. et al.</i>	20-cv-06557
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<i>County of Suffolk v. Actavis Holdco US, Inc. et al.</i>	20-cv-04893
<i>County of Albany et al. v. Actavis Holdco U.S., Inc.</i>	21-cv-01875
<i>County of Westchester et al. v. Actavis Holdco U.S., Inc.</i>	21-cv-04474
PROVIDENCE ST. JOSEPH HEALTH, ET AL., V. ACTAVIS HOLDCO U.S., INC., ET AL.	23-cv-03636

**JOINT STIPULATION GOVERNING BRIEFING
IN RESPONSE TO CERTAIN PRIVATE PLAINTIFFS' MOTIONS FOR LEAVE
TO AMEND AND SUPPLEMENT THEIR COMPLAINTS**

WHEREAS, on January 24, 2024, Certain End-Payer Plaintiffs filed a Motion for Leave to Amend and Supplement their complaints;

WHEREAS, on February 5, 2024, this Court entered the parties' joint stipulation recognizing that additional plaintiffs expected to file motions for leave to amend and/or supplement complaints and adjourning the deadline to respond to Certain End-Payer Plaintiffs' motion pending negotiation of a briefing schedule, ECF 2818;

WHEREAS, on March 20, 2024, this Court issued Pretrial Order No. 267, setting a deadline of April 1, 2024 for plaintiffs to file motions for leave to file amended complaints to name additional parties, Novartis AG and Sandoz AG, and a deadline of May 1, 2024 for responses to said motions, ECF 2888;

WHEREAS, a number of other plaintiffs have now filed additional motions for leave to file amended complaints;¹

¹ Plaintiff Harris County in *Harris County, Texas v. Teva Pharmaceuticals USA, Inc. et al.*, 20-cv-2296, filed a motion for leave to amend on April 8, 2024, and does not seek to name additional parties but rather proposes to "amend[] the scope of at-issue drug lists to comport with the drugs contemplated by PTO 139 and PTO 153," 20-cv-2296 No. 132. Accordingly, Defendants propose to address Harris County's proposed amendments separately.

WHEREAS, on April 2, 2024, plaintiffs in *MSP Recovery Claims Series LLC et al. v. Actavis Elizabeth LLC et al.*, 2:20-cv-0231, moved for leave to amend both “to add Novartis AG and Sandoz AG as Defendants,” and to make case-specific amendments unique to their complaint;

WHEREAS, the parties agree that the case-specific proposed amendments proposed by MSP Recovery plaintiffs should be addressed in a separate briefing;

WHEREAS, the parties agree that plaintiffs’ arguments for leave to amend and/or supplement complaints to name additional parties, Novartis AG and Sandoz AG, in the above-captioned actions, as well as the corresponding allegations sought to be added, feature considerable overlap;

WHEREAS, the parties jointly believe that a stipulation as to additional briefing will aid the Court and the parties in bringing about the efficient resolution of the motions for leave to amend and/or supplement complaints in the above-captioned actions;

It is hereby **STIPULATED AND AGREED**, by the undersigned counsel, on behalf of their respective clients and pursuant to Local Rule 7.4, that:

1. Existing Defendants shall file an omnibus opposition to Plaintiffs’ motions for leave to add Novartis AG and Sandoz AG by May 1, 2024 and shall not exceed 25 pages;
2. Existing Defendants shall file an omnibus opposition to MSP Recovery plaintiffs’ proposed case-specific amendments by May 1, 2024 and shall not exceed 20 pages;
3. Plaintiffs may file a joint reply memorandum of law in response to Existing Defendants’ opposition brief directed at the motions for leave to add Novartis AG and Sandoz AG, not to exceed 25 pages, by June 3, 2024;

4. MSP Recovery plaintiffs may file a reply memorandum of law in support of its motion for leave to make case-specific amendments, not to exceed 20 pages, by June 3, 2024;
5. Existing Defendants may file a joint sur-reply memoranda of law in further opposition to Plaintiffs' motions for leave to add Novartis AG and Sandoz AG, not to exceed 15 pages, by July 3, 2024;
6. Existing Defendants may file a joint sur-reply memoranda of law in further opposition to MSP Recovery plaintiffs' case-specific amendments, not to exceed 15 pages, by July 3, 2024.

IT IS SO STIPULATED.

Dated: April 24, 2024

/s/ Roberta D. Liebenberg
Roberta D. Liebenberg
FINE, KAPLAN AND BLACK, R.P.C.
One South Broad Street, 23rd Flr.
Philadelphia, PA 19107
Tel: (215) 567-6565
rliebenberg@finekaplan.com

Lead Counsel for End-Payer Plaintiffs

/s/ William J. Blechman
William J. Blechman, Esquire
KENNY NACHWALTER, P.A.
1441 Brickell Avenue Suite 1100
Miami, Florida 33131
Tel: (305) 373-1000
Fax: (305) 372-1861
Email: wblechman@knpa.com

Liaison Counsel for Direct Action Plaintiffs

/s/ Christian Hudson
Christian Hudson

/s/ Sheron Korpus
Sheron Korpus
KASOWITZ BENSON TORRES LLP
1633 Broadway
New York, NY 10019
Tel: (212) 506-1700
Fax: (212) 506-1800
skorpus@kasowitz.com

/s/ Devora W. Allon
Devora W. Allon
KIRKLAND & ELLIS TORRES LLP
601 Lexington Avenue
New York, NY 10022
Tel: (212) 446-5967
Fax: (212) 446-6460
devora.allon@kirkland.com

/s/ Chul Pak
Chul Pak
WILSON SONSINI GOODRICH &
ROSATI
P.C.
1301 Avenue of the Americas, 40th Fl.

CUNEO GILBERT & LADUCA, LLP
4725 Wisconsin Ave., NW
Suite 200
Washington, DC 20016
Tel: (202) 789-3960
christian@cuneolaw.com

New York, NY 10019
Tel: (212) 999-5800
Fax: (212) 999-5899
cpak@wsgr.com

Lead Counsel for Indirect Reseller Plaintiffs

/s/ Alison Tanchyk

Alison Tanchyk
Morgan, Lewis & Bockius, LLP
600 Brickell Avenue, Suite 1600
Miami, FL 33131-3075
Tel: (305) 415-3444
Fax: (305) 415-3001
alison.tanchyk@morganlewis.com

Defendants' Liaison Counsel